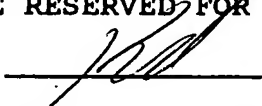


UNITED STATES PATENT & TRADEMARK OFFICE
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REQUEST FOR PATENT FEE REFUND					
1 Date of Request: 11/21/08		2 Serial/Patent # 10/774105			
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT	
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OCT 22 2008

PTO/SB/84 (01-08)

Approved for use through 04/30/2008. OMB 0551-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

DEP5228USNP

First named inventor: DiMauro

Application No.: 10/774,105

Art Unit: 3761

Filed: February 6, 2004

Examiner: Stephens, Jacqueline

Title: Implant Having a Photocatalytic Unit

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

10/23/2008 PCHOMP 00000000 100750

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NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))
2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Amendment (identify type of reply):

☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or restore a patent to the public which is in and by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 22 2008

Docket No. DEP5229USNP

Serial No.: 10/774,105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: DiMauro Group Art Unit: 3761
Serial No.: 10/774,105 Examiner: Stephens, Jacqueline
Filed: Feb. 6, 2004
Title: Implant Having a Photocatalytic Unit

CERTIFICATE OF FACSIMILE

I, Amy Pelletier, hereby certify that this correspondence is being filed via facsimile to the United States Patent and Trademark office at 571-273-8300 on October 22, 2008

/Amy Pelletier/ (signature)
Amy Pelletier

Eugene Szczecina (name of Registered Representative)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Renewed Petition for Revival of an Application for
Patent Unintentionally Abandoned Under 37 CFR 1.137(b)**

Sir:

In response to the Notice of Dismissal of Applicant's Petition for Revival of an Application for Patent Unintentionally Abandoned under 37 CFR 1.137(b), Applicants respectfully submit an RCE, Response to Final Office Action, Petition for Revival and accompanying statement for consideration.

Applicants respectfully request a one-month extension of time to respond to the Notice of Dismissal mailed on July 22, 2008, extending the deadline for a response to October 22, 2008.

Docket No. DEP5229USNP

Serial No.: 10/774,105

Please charge the required fee for submission of an RCE and for the one-month extension of time to Deposit Account No. 10-0750. It is our understanding that it is not necessary to pay the required fee for revival, however, please charge any additional fees due to Deposit Account No. 10-0750, but please do not pay any issue fees.

Respectfully submitted,

/Eugene L. Szczecina, Jr./

Eugene L. Szczecina, Jr.

Attorney for Applicants

Reg. No. 35,029

Johnson & Johnson

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New Brunswick, NJ

(732) 524-1479